

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | | |
|---|---|------------------------|------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 10/607,836 |
| | | Filing Date | June 27, 2003 |
| | | First Named Inventor | Bhat, Vinayak D. |
| | | Art Unit | 3738 |
| | | Examiner Name | Unassigned |
| Total Number of Pages in This Submission | 7 | Attorney Docket Number | 020460-001691US |

ENCLOSURES (Check all that apply)

| | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard Cited References PCT Search Report |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|--------------------|--|-----------------|
| Firm or Individual | Townsend and Townsend and Crew LLP Nena Bains | Reg. No. 47,400 |
| Signature | | |
| Date | OCT. 23, 2003 | |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|-----------------------|--------------|------|----------|
| Typed or printed name | Landon Clark | | |
| Signature | | Date | 10-23-03 |

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 020460-001691US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



On 10-24-03

TOWNSEND and TOWNSEND and CREW LLP

By: London Clark

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BHAT, VINAYAK D. et al.

Application No.: 10/607,836

Filed: June 27, 2003

For: DEVICES DELIVERING
THERAPEUTIC AGENTS AND
METHODS REGARDING THE SAME

Examiner: Unassigned

Art Unit: 3738

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the Search/Examination report corresponding to the PCT application.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nena Bains', with a stylized flourish at the end.

Nena Bains
Reg. No. 47,400

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
NB/lle
60055201 v1



Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

4

Complete if Known

| | |
|------------------------|------------------|
| Application Number | 10/607,836 |
| Filing Date | June 27, 2003 |
| First Named Inventor | Bhat, Vinayak D. |
| Art Unit | 3738 |
| Examiner Name | Unassigned |
| Attorney Docket Number | 020460-001691US |

U.S. PATENT DOCUMENTS+

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| | | Number Kind Code ² (if known) | | | |
| | 0001 | US-3,705,894 | 12-12-1972 | Gerzon et al. | |
| | 0002 | US-3,705,946 | 12-12-1972 | Dyke et al. | |
| | 0003 | US-3,777,020 | 12-04-1973 | Johnson | |
| | 0004 | US-3,868,454 | 02-25-1975 | Johnson | |
| | 0005 | US-3,880,995 | 04-29-1975 | Jones | |
| | 0006 | US-3,903,071 | 09-02-1975 | Holmes | |
| | 0007 | US-3,976,071 | 08/1976 | Sadek | |
| | 0008 | US-3,993,749 | 11-23-1976 | Sehgal et al. | |
| | 0009 | US-4,115,197 | 09-19-1978 | Queener et al. | |
| | 0010 | US-4,234,684 | 11-18-1980 | Abbott et al. | |
| | 0011 | US-4,335,094 | 06/1982 | Mosbach | |
| | 0012 | US-4,345,588 | 08/1982 | Widder et al. | |
| | 0013 | US-4,357,259 | 11/1982 | Wenyei et al. | |
| | 0014 | US-4,501,726 | 02/1985 | Schröder et al. | |
| | 0015 | US-4,810,524 | 03/1989 | Nakayama et al. | |
| | 0016 | US-4,832,686 | 05/1989 | Anderson | |
| | 0017 | US-4,871,716 | 10/1989 | Longo et al. | |
| | 0018 | US-4,883,666 | 11/1989 | Sabel et al. | |
| | 0019 | US-4,894,231 | 01/1990 | Mareau et al. | |
| | 0020 | US-4,897,268 | 01/1990 | Tice et al. | |
| | 0021 | US-4,904,479 | 02/1990 | Illum | |
| | 0022 | US-4,921,723 | 05/1990 | Nichols et al. | |
| | 0023 | US-4,936,281 | 06/1990 | Stasz | |
| | 0024 | US-5,000,185 | 03/1991 | Yock | |
| | 0025 | US-5,024,671 | 06/18/1991 | Tu et al. | |
| | 0026 | US-5,067,491 | 11/1991 | Taylor, II et al. | |
| | 0027 | US-5,069,216 | 12/1991 | Groman et al. | |
| | 0028 | US-5,112,457 | 05/1992 | Marchant | |
| | 0029 | US-5,163,952 | 11/1992 | Froix | |
| | 0030 | US-5,176,907 | 01/1993 | Leong | |
| | 0031 | US-5,206,159 | 04/1993 | Cohen et al. | |
| | 0032 | US-5,225,282 | 07/1993 | Chagnon et al. | |
| | 0033 | US-5,283,257 | 02/1994 | Gregory et al. | |
| | 0034 | US-5,286,254 | 02/1994 | Shapland et al. | |
| | 0035 | US-5,342,348 | 08/1994 | Kaplan | |
| | 0036 | US-5,355,832 | 10/1994 | Loh et al. | |
| | 0037 | US-5,356,433 | 10/1994 | Rowland et al. | |
| | 0038 | US-5,368,557 | 11/1994 | Nita et al. | |
| | 0039 | US-5,409,000 | 04/1995 | Imran | |

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.



| | | | | | |
|--|---|--------------------------|------------------|------------------------|-----------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | C mplete if Known | | | |
| | | Application Number | 10/607,836 | | |
| | | Filing Date | June 27, 2003 | | |
| | | First Named Inventor | Bhat, Vinayak D. | | |
| | | Art Unit | 3738 | | |
| | | Examiner Name | Unassigned | | |
| Sheet | 2 | of | 4 | Attorney Docket Number | 020460-001691US |

| U.S. PATENT DOCUMENTS+ | | | | | |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number Kind Code ² (if known) | | | |
| | 0040 | US-5,411,550 | 05/1995 | Herweck et al. | |
| | 0041 | US-5,419,760 | 05/1995 | Narcisco, Jr. | |
| | 0042 | US-5,447,724 | 09/1995 | Helmus et al. | |
| | 0043 | US-5,447,799 | 09/1995 | Loh et al. | |
| | 0044 | US-5,463,010 | 10/1995 | Hu et al. | |
| | 0045 | US-5,464,450 | 11/1995 | Buscemi et al. | |
| | 0046 | US-5,464,650 | 11/1995 | Berg et al. | |
| | 0047 | US-5,474,563 | 12-12-1995 | Myler, et al. | |
| | 0048 | US-5,484,584 | 01/1996 | Wallace et al. | |
| | 0049 | US-5,500,013 | 03/1996 | Buscemi et al. | |
| | 0050 | US-5,512,055 | 04-30-1996 | Domb et al. | |
| | 0051 | US-5,516,781 | 05/1996 | Morris et al. | |
| | 0052 | US-5,543,158 | 08/1996 | Gref et al. | |
| | 0053 | US-5,545,208 | 08/1996 | Wolff et al. | |
| | 0054 | US-5,551,954 | 09/1996 | Buscemi et al. | |
| | 0055 | US-5,563,146 | 10/1996 | Morris et al. | |
| | 0056 | US-5,569,463 | 10/1996 | Helmus et al. | |
| | 0057 | US-5,591,227 | 01/1997 | Dinh et al. | |
| | 0058 | US-5,609,629 | 03/1997 | Fearnot et al. | |
| | 0059 | US-5,624,411 | 04/1997 | Tuch | |
| | 0060 | US-5,637,113 | 06/1997 | Tartaglia et al. | |
| | 0061 | US-5,646,160 | 07/1997 | Morris et al. | |
| | 0062 | US-5,649,977 | 07/1997 | Campbell | |
| | 0063 | US-5,656,297 | 08/1997 | Bernstein et al. | |
| | 0064 | US-5,665,728 | 09/1997 | Morris et al. | |
| | 0065 | US-5,679,400 | 10/1997 | Tuch | |
| | 0066 | US-5,700,286 | 12/1997 | Tartaglia et al. | |
| | 0067 | US-5,725,494 | 03/1998 | Briskin | |
| | 0068 | US-5,725,567 | 03-10-1998 | Wolff, et al. | |
| | 0069 | US-5,725,567 | 03-10-1998 | Wolff et al. | |
| | 0070 | US-5,728,062 | 03/1998 | Briskin | |
| | 0071 | US-5,735,811 | 04/1998 | Briskin | |
| | 0072 | US-5,769,883 | 06/1998 | Buscemi et al. | |
| | 0073 | US-5,769,884 | 06-23-1998 | Solovay | |
| | 0074 | US-5,824,049 | 10/1998 | Ragheb et al. | |
| | 0075 | US-5,837,008 | 11/1998 | Berg et al. | |
| | 0076 | US-5,843,172 | 12/1998 | Yan | |
| | 0077 | US-5,851,231 | 12/1998 | Wolff et al. | |
| | 0078 | US-5,876,452 | 03/1999 | Athanasiou et al. | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.



| | | | | | |
|--|---|--------------------------|------------------|------------------------|-----------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Complete if Known | | | |
| | | Application Number | 10/607,836 | | |
| | | Filing Date | June 27, 2003 | | |
| | | First Named Inventor | Bhat, Vinayak D. | | |
| | | Art Unit | 3738 | | |
| | | Examiner Name | Unassigned | | |
| Sheet | 3 | of | 4 | Attorney Docket Number | 020460-001691US |

| U.S. PATENT DOCUMENTS+ | | | | | |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number Kind Code ² (if known) | | | |
| | 0079 | US-5,879,808 | 03/1999 | Wary et al. | |
| | 0080 | US-5,891,108 | 04/1999 | Leone et al. | |
| | 0081 | US-5,893,840 | 04/1999 | Hull et al. | |
| | 0082 | US-5,928,145 | 07/1999 | Ocali et al. | |
| | 0083 | US-5,951,586 | 09/1999 | Berg et al. | |
| | 0084 | US-5,958,510 | 09/1999 | Sivaramakrishnam et al. | |
| | 0085 | US-5,968,092 | 10/1999 | Buscemi et al. | |
| | 0086 | US-5,972,027 | 10/1999 | Johnson | |
| | 0087 | US-5,980,551 | 11/1999 | Summers et al. | |
| | 0088 | US-5,980,566 | 11/1999 | Alt et al. | |
| | 0089 | US-5,997,468 | 12/1999 | Wolff et al. | |
| | 0090 | US-6,031,375 | 02/2000 | Atalar et al. | |
| | 0091 | US-6,051,276 | 04/2000 | Wary et al. | |
| | 0092 | US-6,054,122 | 04/2000 | MacPhae | |
| | 0093 | US-6,063,101 | 05/2000 | Jacobsen et al. | |
| | 0094 | US-6,071,305 | 08/2000 | Brown et al. | |
| | 0095 | US-6,086,952 | 07/2000 | Lang et al. | |
| | 0096 | US-6,096,070 | 08/2000 | Ragheb et al. | |
| | 0097 | US-6,099,561 | 08/2000 | Alt | |
| | 0098 | US-6,107,052 | 08-22-2000 | Dorn | |
| | 0099 | US-6,153,252 | 11/2000 | Hossainy et al. | |
| | 0100 | US-6,183,507 | 02-06-2001 | Lashinski et al. | |
| | 0101 | US-6,197,013 | 03/2001 | Reed et al. | |
| | 0102 | US-6,203,536 | 03/2001 | Berg et al. | |
| | 0103 | US-6,240,616 | 06-05-2001 | Yan | |
| | 0104 | US-6,253,443 | 07-03-2001 | Johnson | |
| | 0105 | US-6,273,908 | 08-14-2001 | Ndondo-Lay | |
| | 0106 | US-6,273,913 | 08/2001 | Wright et al. | |
| | 0107 | US-6,287,628 | 09-11-2001 | Hossainy, et al. | |
| | 0108 | US-6,299,604 | 08/2001 | Ragheb et al. | |
| | 0109 | US-6,395,326 | 05-28-2002 | Castro, et al. | |
| | 0110 | US-6,471,980 | 10-29-2002 | Sirhan et al. | |
| | 0111 | US-2001/0027340 | 10/2001 | Wright et al. | |
| | 0112 | US-2001/0029351 | 10/2001 | Falotico et al. | |
| | 0113 | US-2002/0005206 | 01/2002 | Falotico et al. | |
| | 0114 | US-2002/0007213 | 01/2002 | Falotico et al. | |
| | 0115 | US-2002/0007214 | 01/2002 | Falotico | |
| | 0116 | US-2002/0007215 | 01/2002 | Falotico et al. | |
| | 0117 | US-2002/0016625 | 02/2002 | Falotico et al. | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.



| | | | | | |
|---|---|----|---|--------------------------|------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/607,836 |
| | | | | Filing Date | June 27, 2003 |
| | | | | First Named Inventor | Bhat, Vinayak D. |
| | | | | Art Unit | 3738 |
| | | | | Examiner Name | Unassigned |
| Sheet | 4 | of | 4 | Attorney Docket Number | 020460-001691US |

| U.S. PATENT DOCUMENTS+ | | | | | |
|------------------------|--------------------------|--|--------------------------------|--|---|
| | | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| Examiner Initials* | Cite No. ¹ | Number Kind Code ² (if known) | | | |
| | 0118 | US-2002/0032414 | 03/2002 | Ragheb et al. | |
| | 0119 | US-2002/0082677 A1 | 06-27-2002 | Sirhan et al. | |
| | 0120 | US-2002/0082678 A1 | 06-27-2002 | Sirhan et al. | |
| | 0121 | US-2002/0082685 A1 | 06-27-2002 | Sirhan et al. | |
| | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|---|--|--------------------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | 0122 | EP | 063 365 | B1 | 09-04-1985 | Kenji | | <input type="checkbox"/> |
| | 0123 | EP | 184 162 | B1 | 04/1994 | Okuhara | | <input type="checkbox"/> |
| | 0124 | WO | 90/13332 | A1 | 11/1990 | Lee | | <input type="checkbox"/> |
| | 0125 | WO | 01/01957 | A1 | 01/2001 | Stratford, et al. | | <input type="checkbox"/> |
| | 0126 | WO | 01/41678 | A1 | 06/2001 | Advanced Cardiovascular System | | <input type="checkbox"/> |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|--|----------------|
| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | 0127✓ | Rajasubramanian et al., "Fabrication of resorbable microporus intravascular stents for gene therapy applications," <u>ASAIO Journal</u> , 40:M584-589 (1994) | |
| | 0128✓ | MOHACSI et al., "Different inhibitory effects of immunosuppressive drugs on hyman and rat aortic smooth muscle and endothelial cell proliferation stimulated by platelet-derived growth factor or endothelial cell growth factor" <u>J Heart and Lung Transplant</u> , 16:484-491 (1997). | |
| | | | |
| | | | |
| | | | |
| | | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.